



Friday, 10 February 2017

**POLICY DEVELOPMENT AND DECISION GROUP (JOINT
COMMISSIONING TEAM)**

A meeting of **Policy Development and Decision Group
(Joint Commissioning Team)** will be held on

Tuesday, 21 February 2017

commencing at **1.00 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Mayor

Councillor Amil
Councillor Excell
Councillor Haddock
Councillor King

Councillor Manning
Councillor Mills
Mayor Oliver
Councillor Parrott

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or
language please contact:

**Amanda Coote, Town Hall, Castle Circus, Torquay, TQ1 3DR
(01803) 207026**

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

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POLICY DEVELOPMENT AND DECISION GROUP (JOINT COMMISSIONING TEAM) AGENDA

1. **Apologies**
To receive any apologies for absence.
2. **Minutes** (Pages 3 - 6)
To confirm as a correct record the Minutes of this meeting held on 23 January 2017.
3. **Declarations of Interest**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
4. **Urgent Items**
To consider any other items the Chairman decides are urgent.
5. **Private Fostering and Adoption Overview Report** (Pages 7 - 27)
To receive an update on two areas of social care activity – private fostering and adoption.
6. **Special Educational Needs and Disabilities (SEND) Strategy 2016-20** (Pages 28 - 55)
To consider a report on the above.



Minutes of the Policy Development and Decision Group (Joint Commissioning Team)

23 January 2017

-: Present :-

The Mayor

Councillors Amil, Excell, King, Manning, Mills and Parrott

(Also in attendance: Councillors Bent, Brooks and Lewis)

20. Apologies

An apology for absence was received from Councillor Haddock.

21. Minutes

The minutes of the Policy Development and Decision Group (Joint Commissioning Team) held on 28 November 2016 were confirmed as a correct record and signed by the Chairman.

22. Supported Living Briefing

The Strategic Commissioning Officer gave members an update on the delivery of shared care and support available to people within shared accommodation, a single building or buildings within close proximity. Members noted the aims of the Accommodation with Care and Support Strategy and what it would cover.

The Policy Development and Decision Group (Joint Commissioning Team) made the following recommendation to the Mayor:

- (i) that the report be noted; and
- (ii) that the development of an Accommodation with Care and Support Strategy be supported and that the Strategy be endorsed at a future Joint Commissioning Policy Development and Decision Group.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Commissioning Team) set out above at the meeting and the record of decision, together with further information is attached to these Minutes.

23. Proud to Care - Raising the Profile of Care in the South West

The Head of Integration and Development presented the submitted report and outlined the proposal to create and deliver a regional campaign to elevate the

profile of care in the South West, with the potential for this to develop into a national campaign. At the meeting Mr Robert Loxton addressed the meeting.

Resolved:

That the report be noted.

Chairman

Record of Decision

Supported Living Briefing

Decision Taker

Mayor on 23 January 2017

Decision

- (i) that the report be noted; and
- (ii) that the development of an Accommodation with Care and Support Strategy be supported and that the Strategy be endorsed at a future Joint Commissioning Policy Development and Decision Group.

Reason for the Decision

The Supported Living market is fragmented and provides a challenge to ascertain which providers are operating within Torbay. Torbay Council and Torbay South Devon Foundation Trust are working with Devon County Council to develop a Supported Living Service Specification, framework and process for reviewing current and future providers. This will provide parity in terms of quality and cost across Torbay and Devon to the resolve the challenge.

Implementation

The decision will come into force and may be implemented on 7 February 2017 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

A Specialist Housing and Care Homes Needs Assessment was completed in September 2016. The first draft of the Accommodation with Care and Support Strategy will be presented to the Housing Group early February 2017 with a final version agreed by the end of March 2017. The strategy will identify need, demand and resources alongside analysis of current supply. This will draw upon information in the Specialist Housing and Care Homes Needs Assessment, Joint Strategic Needs Assessment (JSNA) and Market Position Statement. The strategy will identify commissioning priorities to inform engagement with service providers and partners to shape future services, alongside other community support. The aim will be to reduce reliance on more acute services, support care and treatment in community settings and form part of a new model of community health and wellbeing for Torbay and South Devon.

Alternative Options considered and rejected at the time of the decision

Not to proceed with the Strategy.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

30 January 2017

Signed: _____
Mayor of Torbay

Date: _____



Meeting: Policy Development and Decision Group Date: 21 February 2017
(Joint Commissioning Team)

Wards Affected: All

Report Title: Private Fostering and Adoption Overview Report

Is the decision a key decision? No

When does the decision need to be implemented? N/A

Executive Lead Contact Details: Julien Parrot, Executive Lead for Adults and Children,
julien.parrot@torbay.gov.uk

Supporting Officer Contact Details: Andy Dempsey, Director of Children's Services,
01803 208949, andy.dempsey@torbay.gov.uk

1. Proposal and Introduction

- 1.1 The purpose of this report is to update Members on two important areas of social care activity – private fostering and adoption.
- 1.2 The Ofsted report published in January 2016 identified serious weaknesses in the oversight of children's social care service provision by leaders and Managers. This report forms part of a series of reports now embedded within the Council's forward planning cycle to ensure Elected Members are well informed on key aspects of service delivery and able to challenge areas of underperformance, in the interests of improving outcomes for children, young people and families.

2. Reason for Proposal

- 2.1 A child is privately fostered if under 16 (18 if disabled) and cared for and accommodated by someone other than a parent, someone with parental responsibility, or a close relative. The essence of a private fostering arrangement is that it is made privately, without the involvement of the local authority.
- 2.2 Private fostering arrangements have been described as 'amongst the least controlled and most open to abuse of all the environments in which children live away from home'. Following the death of Victoria Climbié, who was privately fostered, sections 44 – 47 Children Act 2004 and the Children (Private Arrangements for Fostering) Regulation 2005 amended the law on private fostering arrangements. The role of the local authority was clarified by practice guidance, underpinned by national standards, issued by the Department for Education and Skills (DfES) in 2005.

forward thinking, people orientated, adaptable - always with integrity.

- 2.3 At the time of the most recent inspection, Ofsted concluded that arrangements to identify and monitor children in private fostering placements were 'not sufficiently robust' and that 'only a quarter of children received initial visits within timescales'. Within Torbay there are a large number of foreign language schools which is a significant factor driving the numbers of local private fostering arrangements, which are greater than in many local authority areas. This also impacts on timeliness of initial visits as a good proportion of notifications are received in July/August for a September start.
- 2.4 The DfES Guidance issued in 2005 sets out minimum standards for private fostering including how arrangements should be monitored by the local authority. Attached at Appendix 1 is the Private Fostering Annual Report for 2015 – 16 which provides an overview of activity for the period 1st April 2015 – 31st March 2016. Although further work needs to be done, it does provide evidence of improvement particularly in meeting National Minimum Standards for placement visits:
- **52%** of initial visits were completed within 7 days from notification compared to **26%** in 2014/15
 - **93%** of children in existing arrangements were seen within timescales compared to **69%** in 2015/15
- 2.5 Work to improve our monitoring and oversight arrangements for Private Fostering will continue as part of the improvement work now underway to address the outcome of the Ofsted inspection. An 'end to end' review of the children's social care structure has recently commenced and the private fostering function will be reviewed as part of that process. A session is also planned with the Children Safeguarding Board to bring together language school safeguarding leads to discuss all aspects of child safeguarding and welfare, including private foster care.
- 2.6 Adoption has been a key element within the Government's children's social care reform programme, with a range of measures introduced in recent years to increase the scale and pace of adoption. Ofsted identified a number of weaknesses in Torbay's adoption arrangements recommending that our policy towards permanence (of which adoption forms part), concurrent planning and foster to adopt arrangements be improved.
- 2.7 Attached at Appendix 2 is the annual report for adoption activity summarising activity between 1st April 2015 – 31st March 2016. Although our performance on timeliness remains behind the increasingly challenging thresholds set out in the Government's Adoption Scorecard, it has improved considerably. Performance on timeliness between a child entering care and moving in with an adoptive family (A1 Indicator) has improved from 647 to 516 days. Timeliness between a placement order and match with an adoptive family (Indicator A2) has improved from 245 to 211 days. Both areas of performance now compare favourably with national and statistical comparators.
- 2.8 Nationally the numbers of adoptions have reduced over the past two years by around 12.5% and it has been argued this is due to a number of judgements

reinforcing the principle that adoption should be a measure of 'last resort', to be used when all other options for the child have been exhausted.

- 2.9 As a small authority, Torbay has struggled to recruit adopters and it is hoped that the work underway to further develop a regional approach will provide a greater pool of adoptive families, to meet the needs of particular cohorts of children, from which Torbay can draw and enable the service to share resources around common areas of activity such as recruitment and marketing. At a local level, key areas for development include increasing the numbers of foster to adopt placements and ensuring that planning for adoption commences at the earliest opportunity, particularly for unborn or newly born children where this represents a positive option.

3. Recommendation(s) / Proposed Decision

3.1 The Policy Development and Decision Group is recommended to:

- note the Private Fostering Report 2015/16;
- note the Adoption Activity Report 2015/16;and,
- agree to receive updates on progress to a future meeting as part of Member oversight of the improvement journey

Appendices

Appendix 1: Private Fostering Report 2015/16

Appendix 2: Adoption Activity Report 2015/16



PRIVATE FOSTERING

ANNUAL REPORT FOR YEAR ENDING 31 MARCH 2016

DEFINITION OF PRIVATE FOSTERING

A Private Fostering arrangement is one that is made privately (that is to say without the involvement of the local authority), for the care of a child under the age of 16 (under 18, if disabled), by someone other than a parent or close relative, with the intention that it should last for 28 days or more. Private Foster Carers may be from the extended family, such as a cousin or great aunt, or they may be a friend of the family or other non-relative, such as the parents of the child's friend. A person who is a close relative of the child, as defined by the Children Act 1989 (a grandparent, brother, sister, uncle or aunt (whether by full or half blood or by marriage or civil partnership) or step-parent) will **not** be a Private Foster Carer.

Examples of private fostering arrangements are:

- Children sent from abroad to stay with another family, usually to improve their English or for educational opportunities;
- Asylum seeking and refugee children;
- Teenagers who, having broken ties with their parents, are staying in short term arrangements with friends or other non-relatives;
- Children living with someone they know while their parent is unable to care for them (through safeguarding issues, illness, imprisonment, living overseas, etc)
- Children living with host families, arranged by language schools or other organisations;
- Children living with members of the extended family, eg, great aunt.
- Children who have been adopted in countries which are not signatories to the Hague Convention and who have yet to be adopted in the UK

LEGAL FRAMEWORK & RELEVANT STANDARDS

- Replacement Children Act 1989 Guidance Private Fostering
- Children Act 2004 (Section 44 amends Section 67 in the 1989 Act)
- The Children (Private Arrangements for Fostering) Regulations 2005
- National Minimum Standards for Private Fostering (DfES:2005)

NOTIFICATIONS

It is a legal requirement that anyone directly involved in making a Private Fostering arrangement must notify the local authority. This means that the parents of the child, the Private Foster carers and anyone else involved in making the arrangement must tell the local authority at least 6 weeks before the arrangement is due to start, or within 48 hours if the arrangement is due to start sooner or has already started. The purpose of publicity in relation to Private Fostering has been to increase the rate of notifications but research has shown that any such publicity has had little impact on the overall rate of notifications, although publicity targeted at health and education professionals is useful. Good notification processes continue in respect of the local international school, language schools and White House Guardianships. Notification is still patchy within the wider community and host families have been slow to embrace their duty to notify the authority, either when a new private fostering arrangement starts or finishes, or when there are any changes in the family's circumstances, relying instead on notifications being made through their organisations. Although non-notification is an offence, there have been no prosecutions nationally for non-notification. On a positive note, Torbay Schools Admissions continue to be pro-active in identifying potential private fostering arrangements, although with the increase in the numbers of academies in Torbay, not all schools use this service.

For the year ending 31 March 2016, notifications were received in respect of **236** Private Fostering arrangements. Subsequently, several of these arrangements were cancelled, found not to be Private Fostering, or terminated within 28 days, leaving **197** actual new Private Fostering arrangements which started during the year and **9** proposed arrangements which started in April 2016. These figures represent a **3%** increase on 2014-15. There have been no private fostering notifications in respect of asylum seeking or refugee children.

The **236 notifications** can be broken down as follows:

- **17 for local young people**
- **89 from White House Guardianships**
- **37 from language schools** international students studying for short periods (4-8 weeks) at local language schools – mainly during the summer months;
- **92 from EF International Academy** international students studying long-term at a local independent school;
- **1 other young person** – referred via Schools Admissions but not private fostering as age 16

Referrals from the guardianship organisation reduced this year, with fewer international students wanting to come to this area to attend local state and

independent schools for periods of between 4 weeks and a year, or longer. Torbay schools which have taken these students are Torquay Academy, St Cuthbert Mayne School, The Spires College, Paignton Community and Sports Academy and Brixham College. Other guardianship students staying in Torbay attended schools in the neighbouring authority (Dartmouth Academy, Newton Abbot College, Trinity School). Notifications from the guardianship organisation are mainly received in advance, with appropriate paperwork completed and information regarding the young person provided to the host family. The organisation carries out thorough DBS checks on its host families and requires a high standard of care, with young people placed only in single rooms. Although some of these students have experienced problems, these have generally been dealt with promptly by the organisation with children moved to another host family, when appropriate.

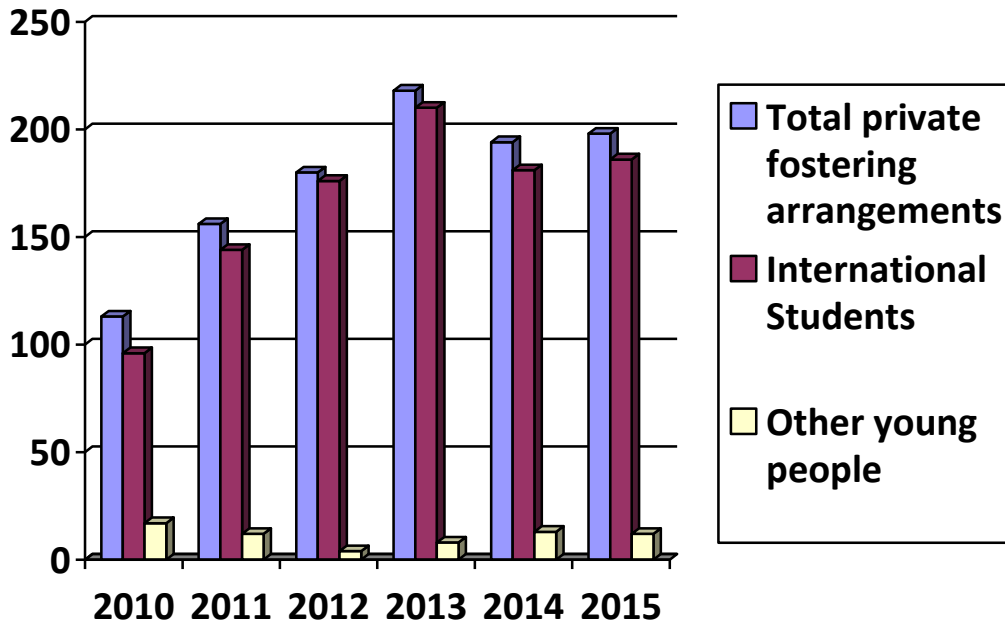
Referrals from language schools in respect of short-term arrangements increased considerably this year. Typically, most of these students stayed for periods of between four and six weeks. This increase is largely due to under-reporting in previous years.

Notifications from a local international school increased this year. Students attending this school arrive throughout the year, with peak arrival times being September, January, April and June. Arrivals are often subject to delays associated with granting of visas. As well as providing study courses for IGCSE, 'A' levels and International Baccalaureate (IB), the school offers an English preparation course. Many of the students only return home at Christmas and during the summer vacation, although some remain in England over Christmas.

Although notifications from this school are generally received promptly, there are still several instances of late or short notice notifications, with little information provided about the young people. The school have identified host families who now take only under 16's and provide these families with appropriate safeguarding training. The school have been very accommodating, allowing staff from the local authority to visit the young people at school and have co-operated with staff in regard to requests for information. They also carry out DBS checks on all their host families and members of the household age 18 and over prior to placing a student, in line with recent guidance from DfE (Keeping Children Safe in Education – April 2014). They also have a programme of unannounced visits to their host families and have been very receptive to advice and guidance from the local authority.

PF1 RETURN TO CENTRAL GOVERNMENT

The following chart shows the numbers of notifications over the last six years. It demonstrates that overall numbers were higher this year but the number of notifications in relation to local young people was broadly the same.



Overleaf is a table, showing the information previously provided to the DfE on the annual PF1 return with comparisons to the previous four years. In 2015, the DfE decided that they would no longer require local authorities to report separately on Private Fostering and only those children deemed Children In Need (CIN) will show on the annual CIN Census.

PF1 Annual Return to DfE – comparison figures

	2011/12	2012/13	2013/14	2014/15	2015/16
Number of notifications of new private fostering arrangements received during the year:	187	204	254	214	236
No. of cases where action was taken in accordance with requirements of Regulation 4(1) of Children (Private Arrangements for Fostering) Regulations 2005 for carrying out visits:	142	174	228	179	197
Of these, the number of cases where this action was taken within 7 working days of receipt of notification of the private fostering arrangements:	57	72	149	51	102
Number of new private fostering arrangements that began during year:	156	180	216	192	198
The number of private fostering arrangements that began ON or AFTER 1st April where visits were made at intervals of not more than 6 weeks:	48	102	151	132	159
The number of private fostering arrangements that began BEFORE 1st April that were continuing on 1st April:	19	37	42	74	58
The number of private fostering arrangements that began BEFORE 1st April that were continuing on 1st April where scheduled visits in the survey year were completed in the required timescale:	12	8	31	70	54
Number of private fostering arrangements that ended during year:	111	175	187	208	215
Number of children under private fostering arrangements at 31 March:	50	42	74	58	41

COMPLETION OF INITIAL VISITS, ASSESSMENTS AND REGULATION 8 VISITS WITHIN TIMESCALES

This year, all but one young person who was privately fostered were visited. Of the 198 new and proposed private fostering arrangements, 197 were visited and 102 (52%) of these visits were within the statutory requirement of 7 days from notification, which represents a significant improvement on the previous year (26%). The one young person who was not seen was a local young person who was nearly 16 and the team had received notification by a social worker close to the young person's birthday.

Some assessments continue to take longer than 42 days to complete from the date of notification, due largely to delays in receipt of DBS and other checks (GP checks, references, information from other local authorities). During this year, the authority made the decision to accept DBS checks carried out for host families by organisations themselves. This has considerably reduced the cost to the authority and has resulted in speedier completion of many assessments. DBS checks in relation to private fostering arrangements for local young people are free of charge to the authority. The previously introduced annual review process for private foster carers has worked well, resulting in a reduction in the need to re-assess existing host families.

Guidance from DfE provided clarification regarding the requirement to visit privately fostered young people 'at least every 6 weeks' in the first year. If any one visit is delayed for whatever reason, it is counted as all that child's visits being 'out of time'. There may be legitimate reasons why a visit to a young person was delayed, such as the child being unwell, going on a school trip, visiting parents during school holidays, etc. During the year all of the young people received regular visits although not all of these visits were within timescales. Visits are frequently arranged for every 5 weeks as legislation requires visits 'at least every 6 weeks'. By setting visits a week earlier than required, this allows for absences and gives the ability to still visit within timescales. This year, **80%** of young people in new private fostering arrangements and **93%** of those in pre-existing arrangements were visited within timescales, representing a significant improvement on the previous year (68.75%). Most of the international students were visited at school, because of the very high numbers.

Of interest is the snapshot figure relating to the numbers of young people in private fostering arrangements as at 31 March 2016. This year, **41** young people remained in private fostering arrangements and once again, this low number was accounted for by Easter being earlier this year and several students going home just before the end of March.

DIVERSITY

Approximately 94% of all privately fostered young people in Torbay were from overseas and most came to this country in order to study and improve their English. Young people came mainly from countries in Europe and Asia, with a small number coming from Africa, the Middle East and North and South America. Most of the host families recruited by the various schools and organisations are white British. The children know in advance that they are coming to stay with British families and most appear to welcome this as part of the experience of coming to this country. Some of the students have commented about the positive aspects of learning about another culture but others have struggled, especially those whose English is poor or where their cultural experience has been very different from that of their host family. While some organisations have been good at matching young people with their host families, with both parties being given information including photographs about the other in advance, others provide little information other than names, ages and country of origin. Communication in advance of the student arriving in this country has been encouraged by some organisations but is not an industry standard. During this year, there have been no reported incidents of racist abuse in relation to privately fostered young people.

Ofsted INSPECTION

Ofsted inspected the authority in October and November 2015 and their report was published in January 2016. The following is their comment in relation to private fostering.

'Arrangements to identify and monitor children in private fostering placements are not sufficiently robust. Despite an increase in capacity to respond to private fostering arrangements, the local authority is still not ensuring that the high number of children who travel from abroad to attend language courses receive initial visits within timescales or that their welfare is sufficiently protected. During 2014–15, only a quarter of children received initial visits within timescales.'

During the year, all-but- one children were seen, with **52%** being seen within timescales, representing a considerable improvement on the previous year (26%). Also improved is the number of statutory visits completed within timescales (80% as against 68.75% in the previous year).

RAISING AWARENESS – 'SOMEBODY ELSE'S CHILD – EVERYBODY'S RESPONSIBILITY'

In July 2015, the local authority ran a campaign of awareness-raising about private fostering. The authority's Communications Team were pro-active in ensuring information about private fostering was included in a variety of media,

including the use of social media and daily news bulletins to Torbay Council staff. Information was sent to schools, health (GP surgeries, hospital, etc), the Probation Service, and the Police. Presentations were made to groups, including social work teams, the Early Help Panel and social work staff at Rowcroft Hospice, as well as meetings with staff from two local language schools, one of which had previously not taken under 16's.

POST-16 SUPPORT

During the year, one young person (other than international students) remained in a private fostering arrangement post-16. This young person was referred to the Integrated Youth Support Service and was offered ongoing advice and assistance as a qualifying young person under the Leaving Care Act. The young person chose to decline all support and the referral was subsequently closed.

EVALUATION OF OUTCOMES

STAYING SAFE

- Private Foster carers and members of household assessed
- Comprehensive health and safety assessment of property
- Smoke detectors required in all private foster carers' homes
- Private foster carers' details passed to Fire Service for free fire home safety visits to vulnerable families and leaflets available for host families (this service is now considerably reduced following budget restrictions in the Fire Service)
- Privately Fostered young people have named worker
- Young people receive regular statutory visits in line with national minimum standards (at least every 6 weeks in first year, at least every 12 weeks in subsequent years)
- Private Foster carers have access to support and information
- Effective Prohibition process established (no prohibitions issued during the year)

PROMOTING GOOD HEALTH

- Privately Fostered young people registered with GP
- Private foster carers asked to ensure that young people receive regular dental and optical checks
- Signposting to information regarding sexual health, mental health, drugs and alcohol, smoking, counselling service, if appropriate
- Young person's health reviewed at every visit
- Carers encouraged to promote healthy diet and lifestyle choices
- Positive contact encouraged to promote emotional wellbeing

PROMOTING EDUCATION

- Regular liaison with schools (many statutory visits undertaken at schools)
- School attendance and attainment monitored at each statutory visit
- Young people encouraged to attend out of school activities
- Private Foster carers encouraged to support young people's education – attending parents' evenings, etc.

SUMMARY

In summarising the last year for the Private Fostering service, there are a number of issues:

- This year has seen an increase in the numbers of private fostering notifications within Torbay. It is a requirement that the local authority responds to all notifications within 7 days and that assessments are completed within 42 days or when the DBS checks are returned, if sooner. Practically, when high numbers of notifications are received from various organisations within a short timeframe, it has not always been possible to take action on all cases within timescales, eg, over 50 notifications were received from a guardianship organisation during the last two weeks of July, for students due to arrive at the end of August.
- Changes to the way DBS checks are notified means that the local authority is dependent upon applicants informing the authority when their DBS check is returned and a further visit is often needed in order to have sight of the check (previously the local authority received notification when a DBS was issued).
- Priority has been given to local young people, private arrangements for individual international students and to students placed with previously unknown host families. Further priority has been given to the younger students (some as young as 11).
- As in previous years summer school students at language schools, most of whom were here for stays of 4-6 weeks, were visited once only at the school.
- Good liaison has been maintained with organisations, who generally report concerns promptly regarding young people.
- The service is currently staffed by one part-time worker, supported by other social workers within the Fostering Service, with a 'whole-team approach' during busy periods. There is also a fostering social worker with specific responsibility for local privately fostered young people. The lead worker is about to retire and plans are afoot for changes within the team.
- The Fostering Service has welcomed social work students into the team, all of whom have been given the opportunity to work with privately fostered young people and their carers.

THE COMING YEAR

It is anticipated that numbers of new private fostering arrangements will remain broadly similar to recent years with no reports of any significant increases or decreases in numbers. Notifications from language schools are uncertain but likely to remain largely confined to the summer months. One local language school has recently decided to expand their business in order to accommodate under 16's, an area in which they have not previously been involved. Referrals in respect of other young people, including local youngsters and international students here through private arrangements, are likely to remain relatively low and this mirrors the national picture, where very few local authorities have seen high numbers other than for international students. Local young people continue to remain a priority, as they are frequently vulnerable with parents either unavailable or unwilling to engage and we are aware that there may be under-reporting because people are unaware of the notification requirements. These same young people are frequently on the periphery of care and in fact, it is not uncommon for such young people to become accommodated. In Torbay, **two** local young people were subsequently accommodated this year. Assessments in relation to these young people are frequently complex and involve assessments of risk. Priority was given to raising awareness amongst health, education, probation service, police and social care professionals in order to ensure there is proper reporting of all private fostering arrangements.

Priority is also being given to ensuring notifications are responded to and assessments completed within timescales. We are also concentrating on ensuring our processes are further streamlined and our service continues to meet the Private Fostering Regulations.

Mary Tayler
Private Fostering Development Worker

11 April 2016

Adoption Activity Report 2015 – 2016

1. Background

- 1.1 This report is to inform members of the Torbay Council Children's Services of the Torbay Adoption Agency activities for the period 1st April 2015 to 31st March 2016. There is a requirement that the Adoption Agency Activity is reported to the Executive annually.
- 1.2 Adoption has continued to be an area of focus in England within the Government's Children's social care reform programme. In May 2015, the Children and Families Minister, Edward Timpson announced legislation would include "new powers that will require councils combine their adoption functions if they fail to join together services under their own steam within the next 2 years". It described this as the "greatest step change in the way children are matched for adoption in a generation".
- 1.3 In June 2015, the Department for Education published the paper Regionalising Adoption asking all adoption agencies in England to consider how to work much more closely together followed by the Education and Adoption Act enacted in March 2016. In March 2016, the Department for Education published the paper Adoption – A Vision for Change outlined progress to date in Adoption Regionalisation plans as well as considering sustainable success and the need for innovative and excellence being required in practice.
- 1.4 Torbay Adoption Agency has been part of Adopt South West a co-operative regional partnership since April 2015, along with Devon County Council, Plymouth City Council, Barnados, Families for Children and more recently Somerset County Council. Adopt South West was successful in a joint application for funding under the government initiative to form a Regional Adoption Agency. In the initial bid we were one of 18 groupings of local authorities and voluntary sector adoption agencies.
- 1.5 Over the last year our Regional Adoption Agency has undertaken benchmarking and options appraisals in order to agree the proposed delivery model. The model agreed is a single Local Authority hosting on behalf of the other Local Authorities. Commissioning intentions from each agency have been submitted, with further scoping exercises as the next stage in relation to finance and structure.
- 1.6 The development of the project is overseen by the Regional Adoption Agency steering group made up of Service Managers and Heads of Service from the agencies involved. A Governance group has been established with Directors and Assistant Directors maintaining oversight and sign off on the continued development of the project. The key outcomes expected from regionalisation are:
 - Innovative Adoption practice across the spectrum
 - Improved life chances for children

- Improved adoption support services
- Improved Efficiency

2. Torbay Adoption Team

- 2.1 The Adoption Team has continued to have low staff turn-over and has a team of knowledgeable and skilled Social Workers and Community Care workers. The current Team Manager and Assistant Team Managers have both been successful in securing the posts permanently following a period of secondment.
- 2.2 The team are actively involved in Practice Improvement meetings as part of the Regionalisation project with the Team Manager leading for Torbay within the Operations group. The core business of the Adoption Team encourages:
- marketing and recruitment of adopters
 - assessment of adopters, matching and placement support
 - step parent adoption assessment and court work
 - adoption support pre and post adoption order
 - family finding, matching and placement of children (including the child looked after social work role)

3. Marketing/Recruitment/Assessment/Approval of Adopters:

- 3.1 Recruitment of adopters has continued throughout the year with focused recruitment of adopters being undertaken during National Adoption Week. Marketing and recruitment has been undertaken in the main through Adopt South West with a combined TV advert and campaign launched for National Adoption week .

Adopt South West has a comprehensive website with a link to Torbay's own revised and improved adopter focused web pages.

Period	Initial Enquiries	Applications received	Adopters Approved
1st April 2014 – 31st March 2015	81	15	13
1st April 2015 – March 2016	58	6	6

- 3.2 It is acknowledged that the conversion number from enquiries to applications and approval in this period has been low, reducing year upon year. Geographically the fact that Torbay is a small unitary authority between Devon, Plymouth and the voluntary agency Families for Children does impact adversely upon the number of adopters coming through.
- 3.3 Across England there has been reduction in the number of expressions of interest in becoming adopters. The decrease from the first half of 2015-16, if it manifests, would equate to a fall of 37% when compared to 2014-15. In relation to reduction of approvals of adopters, if it manifests, would represent 26%. (Data from the Adoption Leadership Board headline and measures business intelligence quarter 2 2015 to 2016 update - published March 2016).
- 3.4 The Regionalisation model would benefit as currently the activity for recruitment, assessment and approval is not viable.

4. Approval and Matching of Adoptive Families

- 4.1 As of 31st March 2016 there were 7 adoptive families who were approved. Of these:
- 2 families were waiting to be matched with children
 - 3 families had children placed with them but had not had a final Adoption Order made.
 - 2 families have had Adoption Orders granted
- 4.2 Between April 1st 2015 and 31st March 2016 the 5 Torbay adoptive families who were matched to a child/ren waited varying periods of time between approval and adopters and the date matched. Of the adopters matched to children:
- 4 waited less than three months
 - 0 waited between three and six months
 - 1 waited between 9 and 12 months
 - 0 waited between 12 and 18 months
 - 0 waited 18 months or more
- 4.3 These figures indicate an improvement in timeliness in Torbay. The data from the Adoption Leadership Board as at March 2016 gives an improvement across England from the low of 25% in quarter 4 2013-14 to 33% in quarter 2 2015-16.

5. Step Parent Adoptions:

- 5.1 Torbay Adoption Team continue the function of accepting referrals from families where a 'step-parent' wishes to adopt their partners child/ren.
- 5.2 The function of providing this service will need to be reviewed in line with the Regionalisation model, as well as, in light of the trajectory being seen which is an increase in numbers of these adoption referrals and its impact upon capacity.

6. Adoption Plans - Children

- 6.1 The aim of Torbay Children's Services is to consider the appropriateness of an adoption plan for all Children Looked After where assessment has concluded they are unable to remain in or return to live with their birth families.

Percentages of children adopted from care

Date	Total number of children looked after	Percentage of all children who left care who were adopted	Statistical Neighbour Average	National Average
31/3/12	195	5%	17%	13%
31/3/13	221	11%	19%	14%
31/3/14	249	17%	20%	17%
31/3/15	305	15%	23%	17%
31/3/16	279	23%	19%	15%

- 6.2 It can be seen from the data above that there has been an increase in children leaving care through permanence to adoption year on year within Torbay. There have been 28 children who have been adopted in this 12 month period, this being the highest number to date for Torbay Children's services.

This is in contrast to the Department for Education data which reports a national decrease of 12% from the previous year in Children Looked After who have been adopted. The reduction was anticipated as from 2015 there has been a decrease of Placement Orders and therefore fewer children being placed for Adoption.

- 6.3 It is anticipated that in the next year new ADM decisions and Placement Orders will plateau. It is unlikely that we will see the same high numbers of children adopted from Care next year as we have this year.

Timeliness of Children's Adoption Plans

	Torbay 2011-14	Torbay 2012-15	Torbay 2013-16	Statistical Neighbours 2012-15	National 2012-15
Thresholds (A1) Scorecard	547	487	426		
Time moving in with Adoptive family (3 yr Av)*	647	623	516	548	593
Thresholds Scorecard (A2)	152	121	121		
Time between order and match (3 yr Av)*	245	241	211	213	223
% waiting less than 16 months *	42%	50%	60%	55%	47%

6.4 The table above details information collated as part of what is termed the Adoption Score Card. There has been an improvement in the timeliness between a child entering care and being placed with adopters, for the period 2013-2016 the three year average shows Torbay as performing better than our statistical neighbours. The time from Placement Order to matching, although still below the national average, has also improved for Torbay children and as detailed the time children are waiting has also reduced.

6.5 Courts need to be satisfied that there is no alternative to adoption for the child before agreeing an Order and birth parents have opportunity to challenge through the courts up to the point that an Adoption Order is granted. These factors have meant that for some children there has been delay before an Order was granted or waiting to be placed. The number of Torbay children who achieved adoption was slightly affected by these issues meaning some adoption Orders were delayed into the next year.

Torbay has successfully increased the number of older children, sibling groups and children with complex needs being adopted; the benefits of this are over shadowed by the length of time it takes to achieve the Adoption Order.

6.6 A change in practice made within the last three years to the adoption social worker role has been a significant factor in improving timeliness of children's adoption plans. Following the Agency Decision Maker confirming the plan for adoption and Adoption Social Worker is allocated to begin profiling the child/ren and early linking can commence to avoid delay. This social worker

is then allocated the child looked after following Placement Order ensuring that the child is known and adoption can be the focus.

- 6.7 There are two children, a sibling group of 1 boy (8years) and 1 girl (7years), currently waiting to have their plans for adoption returned to the court following a disruption of their adoption placement just prior to the Adoption Order being made. The case and disruption meeting minutes were considered by the Adoption panel who have reflected on practice and panel process, advising changes which have been put into place.
- 6.8 31st March 2016 there were 15 children who had Agency Decision Maker approval of adoption care plans, awaiting court approval for Placement Order. There were 28 children subject to a Placement Order of these:
- 5 were awaiting a match to adopters of which 3 were linked and
 - 6 due to the next adoption panel for match recommendation
 - 2 were matched awaiting placement in April 2016 were placed with adopters - adoption order yet to be made
 - 21 were placed with adopters
- 6.9 Within the period of 1st April 2015 - 31st March 2016 23 matches for Torbay children were recommended at panel. Of these 21 were matched with adopters from other agencies and 2 with Torbay adopters. As Torbay is a geographically small area it is usual that families/extended family are resident which can pose risk to local adoptive placements. Whilst Torbay Adoption team strive to recruit adopters outside of the Bay, as well as from within, it is not always appropriate to place our children with our approved adopters. Children are matched to prospective adopters from other Adoption Agencies.

7. Adoption Panel

- 7.1 The Adoption Panel has continued to meet and function within guidance and regulation to a good standard. The panel are comfortable with providing robust scrutiny and challenge to the Adoption Service. Panel membership has remained consistent. There have been no recommendations made by the panel and/ or decisions by the Agency Decision Maker that have resulted in a referral to the Independent Review Mechanism. (The Independent Review Mechanism is an independent body which can review the decision of the Agency Decision Maker if challenged by the individual.)
- 7.2 The data within this report reflects that adoption activity has reduced from the previous year specifically in relation to approval of adopters. Despite this feedback from adopters is positive about their experiences with the Service, particularly liking the 'personal' feel of such a small team.
- 7.3 The Panel chair and panel members have all been involved in annual training and an information sharing regarding Regionalisation of Adoption. It is likely

priority will be given to scoping the advantages of centralising panels. In light of the reduction of panel business for Torbay, again the Regionalisation of panels is likely to be the way forward.

8. Adoption Support

- 8.1 On 1st May 2015 the Department for Education launched the Adoption Support Fund a government funded project aimed at further supporting adopters with accessing therapeutic support for their adopted children. Local Authorities can make applications on behalf of adoptive families to secure Funding, adopters can advise who they would wish to undertake the work.
- 8.2 Torbay have made successful applications on behalf of families they support and will continue to access the fund whilst the government funding is available. The team provide a range of adoption support to families, birth families affected by adoption, families living in Torbay within Torbay who have adopted children and also to adoptive families who we have placed Torbay children with outside of the area. (Up to 3 years post adoption order as identified in the Adoption Support Plan).
- 8.3 The adoption service provides birth relative counseling service and offer a 'drop in' support group. In the period 1st April 2015 to 31st March 2016 the service received 29 referrals from the Child's social worker to offer support and counseling. It is noted that engagement is low with both services therefore a review will be held in relation to ongoing viability.
- 8.4 The Adoption Team provide a service for birth families with regard to post adoption contact. This contact can be indirect through the letter box service and may be between birth and adoptive families only or may be with the child or siblings. Some direct contact takes place between adopted children and family members. This is a busy service and is managed on a day to day basis by one of the community care workers.
- 8.5 The Adoption Service has a total of 1435 letter box between birth parents and adoptive parents contacts of which 1041 are Active. The inactive cases are either due to the birth relative or adopters that have not engaged or the child/ren are over 18/21; we have approximately 220 children on the database. Currently we are supervising and facilitating 12 direct contacts with birth relatives and adopters and children.
- 8.6 There were 33 Referrals for an Adoption Assessment of Need. The majority of these referrals relate to children and young people who require direct work and support with life story work. Currently the service provides support to 76 adoptive families living in Torbay.
- 8.7 The adoption support service currently run three adopters social groups a year that are well attended. Additionally there are three adopted young person's groups which have a varied age group attending. An adopter led support group has been set up with the first one being facilitated by Torbay Adoption Support Team, with the plan for these to become adopter led.

- 8.8 Adopters are offered training opportunities on a variety of topics. This year there has been one therapeutic parenting course followed by a support group and a 90 minutes consultation opportunity for adopters who have attended.
- 8.9 The adoption team provides a service for adopted adults to access their adoption records, counseling in relation to these where required and advice on tracing birth relatives. Recent changes in legislation have meant that relatives of the adopted person can also request access to the adoption records of an adopted adult. In this period 6 adults were supported with access to records.

9. Therapeutic Support

- 9.1 Every child that is adopted has life story work undertaken and there is a statutory requirement to provide the life story book. These are completed by community care workers within the adoption support team. These take a significant proportion of the adoption support time.
- 9.2 The Adoption team has a part time play therapist. There is provision for six children to receive play therapy, consultation service and Sensory Integration Assessments. This service is well used within the adoption service and also to the CLA permanence team. The Play Therapist facilitates the therapeutic Parenting Course for Torbay.
- 9.3 The adoption service provides Theraplay which is an attachment based model of working directly with children and adopters to build and develop the attachment between the child and their adoptive parent. An assessment is undertaken to assess the attachment relationship within the adoptive family and provide specific intervention for the family.
- 9.4 Torbay have developed the THRIVE model of working with children which is a therapeutic approach to understanding attachment and the child. The service is providing THRIVE to the adoptive families developed within the Adoption Support plan to maintain stability and promote attachment.

10. Inter-country adoptions

- 10.1 There have been no inter-country adoptions within this year. Should there be a need then this would be commissioned outside the service.



Meeting: Policy Development and Decision Group **Date:** 21st February 2017

Wards Affected: All

Report Title: Special Educational Needs and Disabilities (SEND) Strategy 2016-20

Is the decision a key decision? No

When does the decision need to be implemented? N/A

Executive Lead Contact Details: Julien Parrot, Executive Lead for Adults and Children, julien.parrot@torbay.gov.uk

Supporting Officer Contact Details: Andy Dempsey, Director of Children's Services, 01803 208949, andy.dempsey@torbay.gov.uk

1. Proposal and Introduction

1.1 The Children and Families Act 2014 introduced the most significant changes in policy for children with special educational needs and disabilities (SEND) for over 3 years and aimed to provide simpler, improved and more consistent help for children, young people and families. The new system extends the rights and protections to children and young people by introducing streamlined, integrated education, health and care plans, extending provision from birth to 25 years of age and strengthening co-production principles.

1.2 The reforms, which came into force in September 2014, require:

- A cultural change in the way in which we listen to and engage with children, young people and their parents and carers enabling them to make informed choices.
- The local authority to develop and publish a Local Offer, and to work closely with the NHS, schools and post-16 settings to use resources through joint commissioning to improve the range of support available in a local area.
- A more flexible model of joint commissioning that promotes access to personal budgets, focuses on specific groups of children or areas within the borough and ensures that children and young people's needs are met.

- Better commissioning of new provisions to ensure needs are met in local schools, post 16 settings and by local community services.
- Positive transitions at all key stages within a 0-25 age range, especially a more successful transition to adult life.
- A skilled workforce that is able to meet the needs of children and young people with SEND and those who are disabled.
- Services that support families to meet their children's needs and help children to remain in their local community.

1.3 The revised Special Educational Needs & Disability (SEND) Strategy 2016 – 2020 sets out a vision for how local services will develop, within a significantly changed operating landscape, in order to improve outcomes for some of our most vulnerable young people. A copy of the strategy and associated action plan is attached at Appendix 1. The action plan will be populated in partnership with local area stakeholders in order to ensure a consistent and shared approach towards delivery and service improvement.

2. Reason for Proposal

2.1 There are currently 26,745 children and young people under the age of 18 living in Torbay (ONS mid-year 2015), with 20,055 children and young people attending state- funded schools in Torbay (January 2016 school census).

2.2 Torbay has a high proportion of children and young people with Statements of Special Educational Needs/Education, Health and Care Plans. This equates to 4.4% of the pupil population compared to 2.9% nationally, although the number of children with some level of additional need (usually supported through school action or school action plus) are in line with statistical and national comparators. This figure includes all types of schools including free schools and independent schools (school census 2016 as reported in Local Authority Interactive Tool (LAIT)).

2.2 Torbay has a good mix of special schools (3) and mainstream providers with enhanced resource provision to enable children with hearing impairing, speech and language difficulties and autistic spectrum condition to access their learning in a mainstream setting. Schools' Forum has also dedicated funds from the Dedicated Schools' Grant towards a range of projects to improve outcomes for children with additional needs. This has included the development of autism champions and the funding of a vulnerable learners co-ordinating post to work across the wide range of activities and services.

2.3 The challenges faced by Torbay are common to many other areas. They arise in the main from the increasing numbers of requests for the assessment of young people, the increases in the numbers of children receiving a service, the increasingly complexity of needs of some children, the ongoing budgetary pressures these create and the need to develop specialist provision within Torbay in an affordable and sustainable manner.

2.4 The revised strategy seeks to build on the good work to date and provide a sustainable response to the ongoing increase in the numbers and complexity of children being identified with special educational needs. It identifies 5 key priorities:

Priority 1: Integrated Agency Working

Agencies will work together effectively to improve outcomes for children and young people with special educational needs and disabilities.

Priority 2: The Local Offer

Partners and service providers will meet the needs the children and young people with special educational needs and disabilities as part of the Local Offer.

Priority 3: Joint Commissioning

Joint commissioning arrangements will contribute to the right services being in place for children and young people with special educational needs and disabilities within Torbay.

Priority 4: Co-Production

Clear co-production pathways will enable children, young people and parents to make a significant contribution to identifying and planning the local offer available to children and young people with special educational needs and disabilities.

Priority 5: Preparing for Adulthood

Young people moving into adulthood will be offered a variety of opportunities to help them realise their potential.

- 2.4 The strategy will be supported by a detailed action plan developed with input from key partners and stakeholders during the Spring Term. The completed action plan will be subject to regular review by Children's Services' Senior Leadership Team, Executive Lead and regular collaborative meetings with schools.

3. Recommendation(s) / Proposed Decision

- 3.1 That the SEND Strategy 2016/20 attached at Appendix 1 be approved and that the Director of Children's Services, in consultation with the Executive Member and key stakeholders, be authorised to make any final changes to the Strategy and provide regular updates on progress.

Appendices

Appendix 1: Special Educational Needs & Disability (SEND) Strategy Vision & Priorities 2016 – 2020)



**Torbay's Special Educational Needs &
Disability (SEND) Strategy
Vision and Priorities 2016-20**

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Foreword

Our goal is for every one of our children and young people in Torbay to be safe, healthy, happy, and ambitious for their future, and to develop skills for life. This is our aim for all children, including those with Special Educational Needs and Disability (SEND). We want them all to have the opportunity to be the best they can be and to have choice and control over their support.

The recent changes in legislation and ambitions for children and young people with SEND, provide a golden opportunity to improve all our services, working with stakeholders, providers, parents and children. The principles of co-production and transparency are at the heart of this approach as the local authority cannot realise the ambitions of the SEND Strategy without the input and contributions of others.

The number of children presenting with additional needs is increasing both locally and nationally. This reflects, in part, on improvements in medical and diagnostic processes, which are to be welcomed. However it all poses a challenge in ensuring we can meet the needs of the children. The SEND Strategy provides the framework within which services can develop in an affordable and sustainable manner in the interests of Torbay children.

Thank you for your continued support and continuing contribution to an area of work focused on meeting the needs of some of our most vulnerable children and young people.

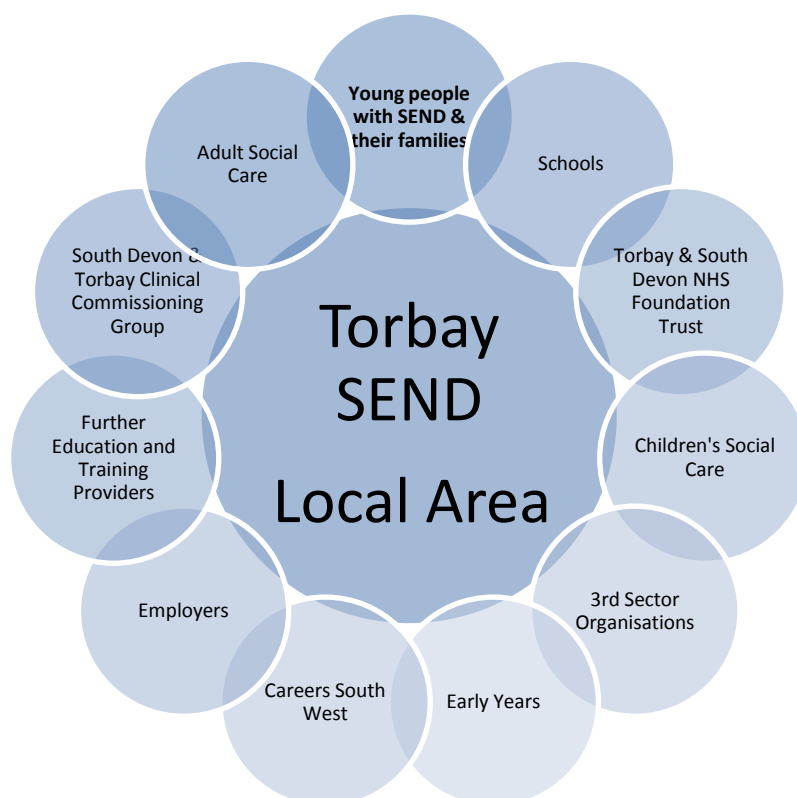
Andy Dempsey

Director of Children's Services

Section One

Introduction

This document sets out the Local Authority (LA) strategy for improving outcomes and life chances for children and young people with Special Educational Needs and Disabilities (SEND) across the local area. The LA has led the strategy and recognises that its success lies in the effectiveness of the partnership between all stakeholders. The strategy sets out what the local area will aim to achieve through partnership arrangements between the LA, educational settings, parents/carers, children and young people, other agencies and services in health and social care, including adult services and the voluntary sector. The following diagram depicts the definition of the local area.



The SEND strategy is a key element in delivering aspects of the Torbay Children and Young People's plan for 2014-2019 and Torbay's Strategy for Achieving Educational Excellence Everywhere for 2016 to 2020. These plans aim to give all children and young people the best start in life so they are safe, happy and healthy to reach their full potential.

Through the adoption of this strategy it is our intention to further join up help across education, health and care, from birth to 25. Ensuring help is offered at the earliest possible point, with children and young people with SEND and their parents fully involved in decisions about their support and what they want to achieve. This will help lead to better outcomes and more efficient ways of working.

The Vision

Our vision is for a well planned continuum of provision from birth to 25 in Torbay that meets the needs of children and young people with SEND and their families. This means integrated services across education, health and social care which work closely with parents and carers and where individual needs are met without unnecessary bureaucracy or delay. It also means a strong commitment to early intervention and prevention, so that children's and young people's needs do not increase because early help is provided in a timely way.

We believe that every Torbay child and young person should have their needs met, as far as possible, in their local community, in local early years providers and schools, in Further Education colleges and work places and that they should be offered high quality provision which ensures good health and care and good education progress and achievement.

We expect every early years provider, mainstream school and post 16 setting to make effective provision for disabled children and those with SEN so that they make good progress in their learning and can move on easily to the next stage of their education and later into employment and independent adult life.

We also expect education, care and health services to be delivered in an integrated way so that the experience of families accessing services is positive and children's and young people's safety, well being and health outcomes are well promoted alongside their educational progress and achievement.

Our vision is to have effective services in place for young people with additional needs up to age 25. It is our expectation that the education and training offered by post 16 providers will take into account the assessment of pupils' needs and strategically plan to meet the aspirations of pupils during this phase and beyond. This will be reflected in the wide variety of high quality options for post 16 education and training, giving young people the choices and opportunity to work towards their aspirations, ensuring where appropriate that there are pathways into employment and independent living.

To ensure that young people are recognised as full citizens with their own contributions to make to their local communities and society, we will embed and strengthen the process of supporting their transition to adulthood. To do this, we will recognise the strengths of previous experiences, building on effective strategies for continuity and progression, ensuring that transition is a good experience for every young person, leading to strong outcomes.

We believe that every Torbay child and young person who is disabled has the right to live as ordinary life as possible in the local community, with easy access to local schools and support services they and their families need. Some young people with the most complex needs will continue to require significant levels of help and we aim to ensure they and their families can work with us to shape the services that will best ensure good outcomes for them and their inclusion in society.

In delivering our vision we will ensure our approach is family centred. We will ensure that parents, children and young people are involved in discussions and decisions about every aspect of planning, including making provision to meet local needs. This will be achieved through their direct

involvement in planning and reviewing the local offer; reviewing special educational provision and social care provision and drawing up individual EHC plans, reviews and assessments.

Legislative Framework

Local authorities must fulfil their statutory duties towards children and young people with special educational needs or disabilities in the light of the guidance set out in the Special Educational Needs Code of Practice – January 2015. This Code of Practice provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations.

See appendix 2 for further information.

Key principles of the legislation

The law aims to improve the system by giving more importance to the views, wishes and feelings of children and young people and their families. It is based on these principles:

Participation

Local authorities and health partners must work with parent carers and young people to improve services in their area, for example through their local parent carer forum.

Outcomes

Local authorities must offer support in a way that enables children and young people with SEND to achieve the best possible educational progress, and helps them do what they want in their lives as they grow up.

Joint decisions

Local authorities must make sure that young people and their families get the right information and support to take part in decisions which affect them.

Joint working

Education, health and social care services must work more closely together when they are deciding on the support available for children and young people with SEN and disabilities in their area.

Statutory Accountability

There are two inspectorates, Ofsted and the Care Quality Commission (CQC), that hold **local areas** to account and champion the rights of children and young people. Under the local area special educational needs or disabilities (or both) inspection framework, inspectors review how local areas meet their responsibilities for children and young people (from birth to age 25) who have special educational needs or disabilities (or both).

The Inspection Framework began in April 2016 and all local areas will be subject to an inspection during the next 5 years. The delivery of this strategy will help the local area to meet the requirements of the regulator.

National Strategic Context

This strategy is being published at a time of significant change, with some of the biggest shifts in national policy for over 30 years. The strategy is intended to ensure that Torbay is well positioned to continue to embed the implementation and maintenance of those changes for the benefit of children, young people and families.

The Children and Families Act 2014 offers simpler, improved and more consistent help for children and young people with SEND. The new system extends the rights and protections to children and young people by introducing streamlined, integrated education, health and care plans, extending provision from birth to 25 years of age and strengthening co-production principles.

The reforms, which came into force in September 2014, require:

- A cultural change in the way in which we listen to and engage with children, young people and their parents and carers enabling them to make informed choices.
- The local authority to develop and publish a Local Offer, and to work closely with the NHS, schools and post-16 settings to use resources through joint commissioning to improve the range of support available in a local area.
- A more flexible model of joint commissioning that promotes access to personal budgets, focuses on specific groups of children or areas within the borough and ensures that children and young people's needs are met.
- Better commissioning of new provisions to ensure needs are met in local schools, post 16 settings and by local community services.
- Positive transitions at all key stages within a 0-25 age range, especially a more successful transition to adult life.
- A skilled workforce that is able to meet the needs of children and young people with SEND and those who are disabled.
- Services that support families to meet their children's needs and help children to remain in their local community.

The Act sets out the expectation that children and young people with special educational needs should be included within the activities of mainstream schools and post 16 settings. Schools and post-16 settings have statutory duties under the Equality Act 2010 to ensure that they do not discriminate against children and young people with SEND. They should ensure that pupils with SEND can be involved in every aspect of school life. This may involve changing the way educational settings teach pupils. Pupils should have access to a mainstream setting alongside pupils who don't have SEN where this is reasonably practical and possible

The SEND Code of Practice provides statutory guidance relating to Part 3 of the Children and Families act. The SEND Code of Practice places significant duties on the local authority and area.

The Care Act 2014 requires local authorities to ensure co-operation between Children's and Adult' services and to promote the integration of care and support with health services. This is so that Young Adults are not left without care and support as they make the transition between Children's and Adults Social Care.

Definitions of disability and special educational needs can be found in appendix 3.

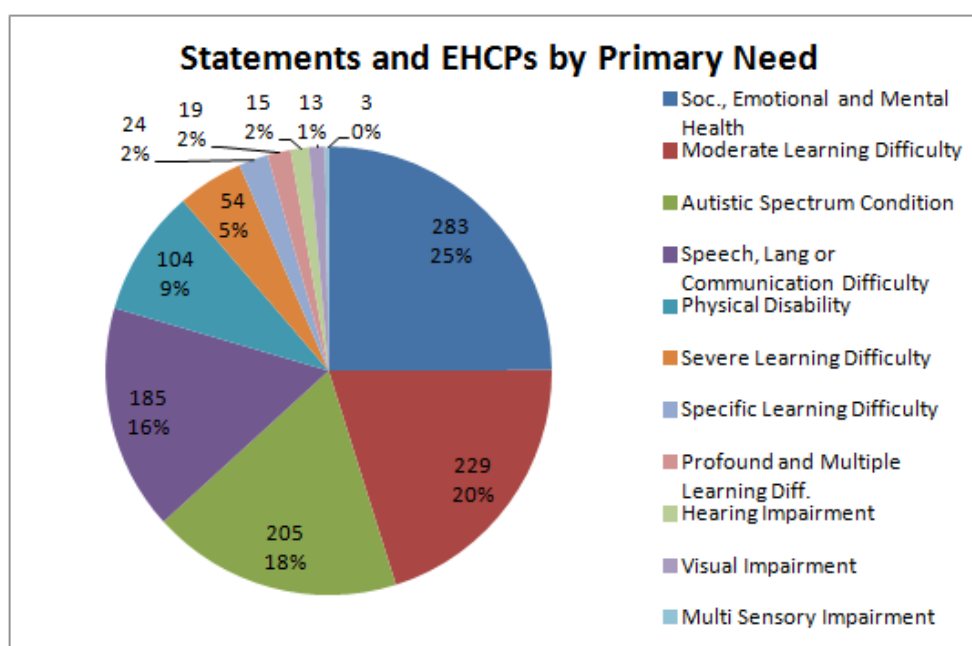
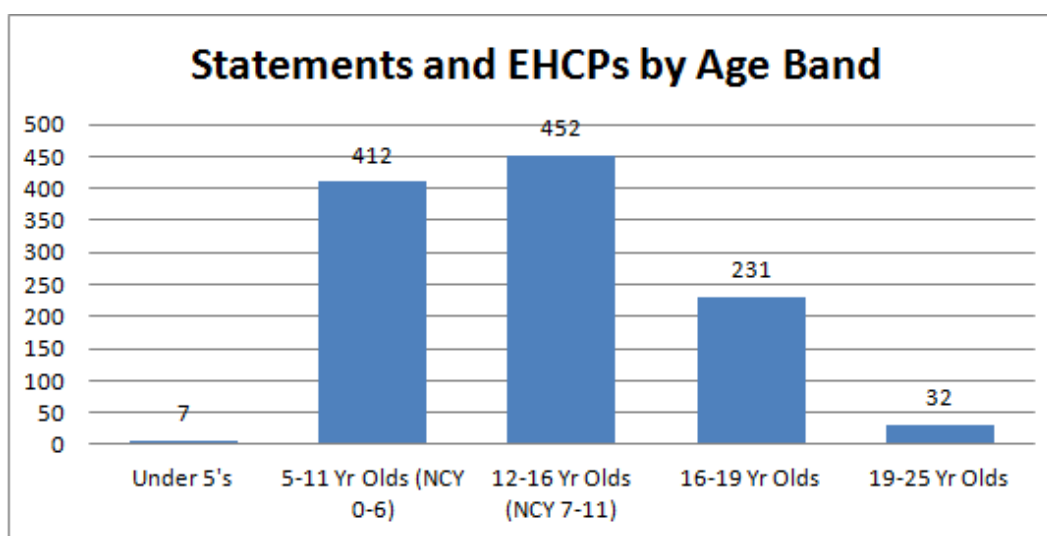
Section Two

Torbay's Current Context and Performance

There are currently 26,745 children and young people under the age of 18 living in Torbay (ONS mid-year 2015). 20,055 children and young people attend state-funded schools in Torbay (January 2016 school census).

Torbay has a high proportion of children and young people with Statements / Education, Health and Care Plans. This equates to 4.4% of the pupil population compared to 2.9% nationally. This figure includes all types of schools including free schools and independent schools (school census 2016 as reported in Local Authority Interactive Tool (LAIT))

The SEND legislation covers the age range 0-25 years. The total number of Torbay pupils with EHC Plans / Statements is 1134 (as of 30/1/17). The following charts demonstrate the number of pupils with either an EHC Plan/Statement by age band and the primary identified need.



Transfers of Statements to EHC Plans

In September 2014 the LA introduced the statutory Education Health and Care (EHC) needs assessment and began the process of transferring Statements to EHC plans. This included the introduction of EHC plans for learners with SEND up to the age of 25, transferring Learning Disability Assessments to EHC plans where requested and needed.

In September 2014 Torbay had a target of **888** Statements of Special Educational Needs to transfer to Education, Health and Care plans. At the time of writing (January 17) 53% (**471**) had been transferred with a remaining 47% (**417**) statements to be converted. Torbay has a detailed plan demonstrating the timescales for transferring statements to EHC plans and is accessible at www.torbay.gov.uk/SEN.

New Requests for Statutory Assessments

Since September 2014 the LA have seen a 30% rise in requests for new assessments. The percentage of requests for statutory assessment that have been refused has risen from 14% in academic year 2013-14, to 23% in 2015-16. This indicates that thresholds are being robustly applied and more work is needed to strengthen early identification and school support for learners with special educational needs.

The following table shows the new requests for statutory assessment by Academic year and the conversion rates for agreement/refusal.

	Sept 13 – Aug 14	Sept 14 – Aug 15	Sept 15 – Aug 16
Requests for Statutory Assessment	133	164	175
RSAs agreed	115 (86%)	142 (87%)	135
RSAs refused	18 (14%)	22 (13%)	40

When a request has been agreed the LA has to complete the process within 20 weeks. The performance of the authority is well above national average.

The table below details the timescale performance for agreed and issued EHC plans.

	Sept 13 – Aug 14	Sept 14 – Aug 15	Sept 15 – Aug 16
EHC plans completed within timescales	104 (90%)	123 (89%)	103 (82%)
EHC plans completed over timescales	11 (10%)	15 (11%)	22 (18%)
Left Area / Not Issued / Not required	0	4	5
Assessment in Progress	0	0	5

Current Provision and Accessibility

Children and young people in Torbay may attend mainstream early years settings, schools or colleges or specialist provision such as mainstream schools with enhanced resource provision or special schools.

Information about provision for learners is published on the Torbay Local Offer. All schools publish their SEN Information Report which will detail the support they provide. Information about Resource Provision in mainstream schools and special schools is on the Local Offer.

In addition to mainstream provision the LA has developed a number of enhanced resource provisions that are delivered by mainstream providers. These include the following:-

- Preston Primary School (Autistic Spectrum Condition)
- Barton Academy (Speech & Language Therapy)
- St Margaret's Academy (Hearing Impairment)
- The Spires College (Hearing Impairment)
- Brixham College (Autistic Spectrum Condition)

Torbay also has a strong network of special schools that meet the needs of pupils that cannot be accommodated in mainstream provision. These include:-

- Combe Pafford School
- Mayfield School (including Chestnut Centre)
- Torbay School

For some pupils their needs are also met outside of the local area through alternative and bespoke provisions.

Currently 43% of the local area pupils with Statements / EHCPs attend a special school or an independent provision.

To ensure appropriate pathways exist for students aged 16 -25 the local authority continues to work with and grow the following providers

- Combe Pafford School
- Mayfield School
- South Devon College
- Independent specialist provisions.

The LA also commissions Careers South West to ensure young people remain in education, employment or training through targeted work and planning.

To continue to develop the provision on offer, the Local Authority has been developing its Schools Accessibility Strategy for 2016-2020 in consultation with schools, children and young people and their families. The aim of the strategy is to improve access arrangements in schools for children and young people with special educational needs and disabilities.

In addition the Local Authority removes barriers to accessibility through the robust implementation of the Home to School Transport Policy. This policy sets out the eligibility for assistance for pupils with a statement / EHC plan. Many children and young people with SEN qualify for assistance, based on mobility problems, associated health and safety issues of their special educational needs or on the grounds that their disability prevents them from walking to the establishment with an adult.

This offer is also extended to students aged between 16 -18. Where students because of special educational need or a disability are not able to walk or travel by bus to their education setting, transport assistance will be provided (supplemented by a contribution to the cost).

Funding to support learners with special educational needs and disabilities

In 2013 the government changed the way in which all maintained schools, academies and non-maintained special schools were funded, including arrangements for funding SEND provision. The intention of the funding reform was to:

- Achieve a simpler, more transparent and consistent system of funding for schools and better focus on the needs of pupils;
- Achieve maximum delegation of funding to schools to ensure education funding reaches the schools and pupils according to need;
- Ensure that funding is arranged on an equivalent basis across providers so that arrangements are transparent and improve choice for young people and their parents.

It is a mandatory requirement for schools to provide up to the first £6,000 of additional support for all pupils with special educational needs from this delegated funding. Top up funding over £6,000 is then allocated from the high needs block to meet assessed needs.

Special schools are funded on a commissioned number of places at a fixed amount per place. Top up funding is then allocated from the high needs block according to the provision required to meet individual pupil needs. The same funding principles also apply to post-16 provision in further education colleges.

All mainstream schools including academies and free schools are expected to use their delegated budget to deliver high quality outcomes for all children and young people including those with special educational needs and/or disability.

Torbay currently allocates more than £26 million annually in supporting the needs of children and young people with SEN and those who are disabled.

The above figure includes the £10million allocated in the mainstream school budget, with the remainder being the Higher Needs Block of £16million. The Higher Needs budget is spent on commissioning places in special schools, top up funding in mainstream schools, colleges and early years, the cost of SEN support services and alternative provision for children and young people of all ages.

Performance of learners with special educational needs

Current educational attainment for pupils with special educational needs is variable compared to both national and statistical comparisons.

Within the Early Years, children in receipt of SEN support achieve an equivalent level of good development compared to the same national group. Currently 26% of pupils with SEN support achieve a Good Level of Development (GLD). For children with a statement/EHCP Torbay is slightly below the national trend. Currently 3% of Torbay EHCP children achieve a good level of development compared with 4% nationally.

The trend is different at Key Stage 2. In 2016, 13% of Torbay pupils with SEN support achieved the expected standard in a combined level for reading, writing and maths. This is below both the national level of 16% and the statistical neighbour group at 17%. Torbay is ranked 95th out of 152 authorities.

For pupils with a statement /EHC plan the outcomes at Key Stage 2 are different. 9% of Torbay pupils with a statement/EHC plan achieved the expected standard for a combined level in reading, writing and maths. This compares favourably to the 7% nationally and is in line with the LA statistical neighbours. For this indicator Torbay is ranked as the 27th performing LA out of the 152 local authorities.

The outcomes at Key Stage 4 are not maintained within the Local Area. At the end of Key Stage 4 in 2015 3.8% of pupils with a statement/EHC plan achieved 5 good GCSE grades including English and Maths compared to 8.8% nationally and 6.8% in statistical neighbours. Torbay ranked 130th out of the 152 local authorities.

Our approach to work with children, young people and their families

Torbay recognises that children, young people and their parent's value support. The local area has arrangements in place for information, advice and support from an easily accessible service. Torbay has taken the decision to externally source a provider to deliver this advice, ensuring it is confidential, impartial and independent information. Special Educational Need and Disabilities, Information, Advice and Support Service (SENDIASS) dealt with 204 independent support queries and 111 information and advice queries in 2016. The work of the service is highly regarded and valued by young people, parents and professionals.

Personalisation is at the heart of the practice that is being developed within Torbay. For the local area this means putting children, young people and their families at the centre of the Education, Health and Care (EHC) process. The local area takes action in a number of ways to achieve personalisation this includes:

- Person-centred approaches where children with special educational needs or a disability are put at the centre of decision making, enabling them to express their views, wishes and feelings;
- Personalising the support which families receive through education, health and social care services working in partnership to arrange seamless care and support for them;

- Funding mechanisms, which enable enhanced flexibility, choice and control for young people and their families through the use of direct payments and personal education and health budgets

Torbay is proud that at the initial stages of an EHCP assessment an SEN Casework Officer will make a face to face meeting in order to discuss the process and ensure all relevant views are sought. This contact also occurs for each case where it is decided not to initiate the assessment process. This ensures there is an understanding of the reasons why it is felt that an assessment is not necessary and provides an interface to give advice and support regarding next steps.

To create greater personalisation Torbay is developing its approach through the use of a personal budget, giving children and young people real choice and control over the design of their care and education package. In developing our approach to personal budgets, the SEN Officer will spend time looking into each request and explore all options. If a service can meet a young person's needs within a reasonable cost and there are no funding barriers (e.g block contracts) then the area is committed to work with families to meet their wishes.

The Local Area recognises that meeting the needs of all children and young people are complex. There may be times when we are unable to reach an agreement. Young people and their families have the right of appeal to the SEND Tribunal. Torbay has a strong formal mediation service commissioned across the peninsular from Global Mediation. Torbay has a very low rate of cases which result in formal mediation (1 over the last 12 months) or SEND Tribunal (1 over the last 12 months)

Local Area Workforce Development

To continue to improve performance the LA has prioritised the development of the workforce. Since the SEND reforms came into force in September 2014 a great deal of awareness raising and training has occurred on a multi-agency basis in order to ensure there is a greater understanding of the legislative requirements and the expectations placed upon the Local Area. Close working arrangements with Health (Designated Medical Officer; Clinical Commissioning Group commissioners; Heads of Therapy Services), Social Care, educational providers, parents and voluntary sector colleagues has provided a platform to develop the approaches to support children and young people with special educational needs and/or disabilities.

Investment has been put in to ensure all professionals understand the value of working effectively together to deliver a quality of provision that is valued by parents. This can be evidenced from the SEND annual events, SENCO training, Joint SENCO group, SEND Operational Leads, Preparing for Adulthood group. It is valued by parents and is evidenced by the feedback forms and phone surveys which are in place.

The SENCO's from early years settings and schools have received training to help them understand and implement reforms effectively. They are able to demonstrate that children and young people with EHCP's/ Statements of SEN, and those identified as receiving special educational needs and/or disabilities support are having their needs accurately assessed and regularly reviewed. The work of SENCO's is of good quality. SENCOs are adept at supporting their colleagues to highlight areas of concern regarding the children and young people they teach. There is a vibrant SENCO Network which is supported by the Torbay Teaching School Alliance (TTSA). Joint facilitation between SEN

and the TTSA ensures aspects which have been identified as part of the SEND Audit process are encompassed and addressed.

Examples of Workforce Development Initiatives Include

Autistic Spectrum Condition

The rising level of identified autistic spectrum conditions (ASC) is being addressed well. Pathways for those who have ASC are clearly defined and families are benefitting from a multi-disciplinary approach. Funding granted from the Schools Forum has enabled ASC Champions to be identified in mainstream schools and high quality AET training has been cascaded. Parents recognise the positive difference that this is making and are appreciative of the guidance and support.

Early Bird

Joint training between Educational Psychologists / Portage / Speech and Language Therapists around Autism has enabled a comprehensive training programme to be maintained that is valued by recipients.

Attachment training

Through the work of the Virtual School for Looked after Children, 24 schools have undertaken attachment training. Schools are becoming attachment aware and staff confidence and knowledge has increased. The training has also been completed by Educational Psychologists and CAMHS professionals. To build the momentum a support group has been set up for those who have completed the first round of training, this group is being led by the educational psychology service.

The services and organisation working to deliver the SEND agenda

The SEND reforms re-emphasised the importance of working together to safeguard, assess and meet the needs of children and young people with SEND. The development of the workforce will continue to ensure that everyone who comes into contact with children and their families and carers has a role to play in safeguarding children.

Early Years

Torbay has a strong network of early years providers and children's centres that are supported by a high quality advisory service. To identify children at the earliest stage a system has been developed for bring forward a 2-3 year integrated review for all children conducted between Health Visitors and Early Years Providers. Through this process identification of any additional need will be shared between professionals to ensure timely interventions and/or referrals as appropriate.

As well as setting based SENCOs the Local Authority also has a dedicated Early Years Inclusion Teacher and Portage Team. Young children with an identified need and their families in early years settings are well supported by practitioners following the 'graduated approach'. The establishment of a multiagency meeting involving the Portage Home Visitor, Educational Psychologist and the Inclusion Advisory Teacher ensures

- The most needy of our early years aged children in Torbay are receiving timely support and intervention to enable them with their start to school

- Transition meetings are arranged for all the children at SEN Support and/or with an EHCP, involving the SENDCo of the educational setting and the young children's carers/parent. Following this, a plan is agreed.
- Setting SENDCos are developing confidence and skills through attending SEND training events organised by the advisory teacher for early years inclusion. Some early years settings are working collaboratively to organise their own 'in house' training events.
- Parents/carers have the opportunity to be clearly informed of an individual early years setting's SEND provision through using the Torbay Local Offer.

For the academic year of 2015-2016, 99 children were identified as having additional needs and/or a disability and known to the Early Years Inclusion Service. 66 children were referred between September and the following August, and 33 children were already known to the service from the previous academic year. For many of these children their needs were met in their local community early years setting, supported by additional investment from the Activity Led Funding for Early Years (ALFEY) budget.

Early Help

The Early Help Team Co-ordinator attends the SEND Panel as the designated Social Care Officer. The SEND Team are also represented at the Early Help Panel by an EHCP Co-ordinator or Portage Worker Lead. This enables timely advice on SEND resources, enabling efficient access and identification.

Children with Disability Team

Torbay Children's Services have the Children with Disability Team comprising of social workers and community care workers who support children under 18 with a disability and their families. The team work with children who may present challenges to their families and aim to coordinate appropriate support packages which involve other specialist practitioners such as CAHMS, Learning Disability Team and Health Professionals.

The team's work also includes the management and support of holiday play schemes, Saturday Clubs and Short Breaks services for children with SEND.

Looked after Children's Team

Children who are in care of the local authority have the opportunity to have their views considered by a range of communication methods and the team works closely with advocacy agencies. Children in care are a priority with professionals carefully considering appropriate school placements and the package required to meet their educational needs.

Torbay has a vibrant Virtual School consisting of a Head Teacher, Secondary and Primary Teachers and an attendance/pastoral support officer. Close liaison between the SEN Team and the staff within the Virtual School ensures that students with SEN receive the appropriate level of support.

In November 2016, 66% of the Torbay CLA Cohort were known to SEND with 42% receiving SEN support and 24% having a statement/EHC plan.

Youth offending team

The Local Authority recognises that the principles underpinning the Code are now also relevant when supporting detained persons. There is close collaboration between the SEN Team and the Youth Offending Team to develop protocols to ensure that data sharing is effective and that all steps are taken to improve the educational outcomes and prepare for adulthood for children who have been part of the youth justice system.

Transition from Children's to Adult Services

Links with Adults Services have been strengthened to ensure a clear transition pathway is in place. Staff from Children's and Adult Services effectively work together, sharing information about young people aged between 14 and 18 who have an identified need. From the age of 16 and subject to assessment Adult services will work with the young person, their family and supporters to progress their transition.

A transition coordinator is assigned to all young people. They look at young person's current needs, the cost and possible support they may need as an adult and assess the level and type of support that is required.

This is a relatively new process and the local area continues to grow and develop this partnership to achieve the best future outcomes.

Clinical Commissioning Group

With the local area there is one clinical commissioning group (CCG). This is South Devon and Torbay Clinical Commissioning Group. In line with the SEND code of practice the CCG has commissioned a Designated Medical Officer who supports the CCG to meet their statutory duties and provides a point of contact for local partners. The designated Medical Officer is actively engaged with the development of SEND and attends the fortnightly SEND Panel and SEND steering group.

Joint commissioning across education, health and social care

The local area SEND operational leads group is made up of officers from education, health and social care teams. The group meets regularly and it aims to identify and review potential areas for joint commissioning activities linked to the SEND reforms. It also links to the review of current joint commissioning services where SEND is a factor. The terms of reference can be viewed at www.torbay.gov.uk/send-reforms

The CCG is currently in a pre-procurement phase in respect to all Children's Community Health Services. This provides an additional opportunity for the local area to commission services in line with need.

Section Three

Challenges

The challenges facing the local area in the delivery of meeting special educational needs are complex and cannot be underestimated for the numerous leaders working at both a local, regional and national level.

The critical challenges to overcome are:-

National School Funding Reform

The Department for Education is currently consulting on a reform that will change the current system for distributing school funding. The government has started a process of introducing a national funding formula from 2018 – 2019. The plans would remove the local areas ability to manage the additional demands on higher needs funding by using the central dedicated schools grant. In 2019 the local authority (local area) will receive an allocation of funding for children and young people with high level special educational needs. The funding level to be awarded is also subject to consultation and has not been determined.

Within these proposals there is also the removal of the statutory function to have a schools forum to determine spend across the local area. This could result in a lack of investment from stakeholders towards common aims that have previously been centrally co-ordinated through the forum. For example the investment into a Tier 2's mental health service or centralised training for Autism.

Early analysis of anticipated spend and a review of budgets demonstrates that the local area Higher Needs Block would be in a deficit position without the creation of a statementing contingency fund from the central designated schools block. In 2018 this is anticipated to be approximately £300k.

The Higher Needs Block is also volatile due to an increased expectation to meet the needs of Post 16 pupils. This new duty has not been matched by the allocation of new funding.

To overcome this challenge we will:-

- Share intelligence with schools, systems leaders, partners within the local area to ensure that the challenge is understood.
- Contribute to the current and future consultation processes and make representation to Ofsted and the Regional Schools Commissioner.
- Use the Department for Education Grant to review higher needs spending and implement a specific action plan to address recommendations.
- Facilitate an equivalent body to School Forum
- Review and apply the thresholds used to allocate higher needs funding

Sufficiency of Placements

The Local Authority is one of many stakeholders who can contribute to the development of creating new provision for pupils with special educational needs. Torbay has taken action to commission additional placements with existing schools, colleges and special schools within the local area. The current capacity of providers to expand the offer further is limited; this is compounded by the demographical demand to create more provision at all phases.

Current Free School policy (a term used for all new school post May 2015) will create some new opportunities for growth through additional capital and revenue investment. However the policy requires a commitment from cross border authorities to commission placements for a bid to be considered.

The Local Area has not historically attracted national independent providers. Successful work has been carried out between the SEN team and local organisations to generate some bespoke post 16 arrangements. The capacity to use independent providers that are not registered with Ofsted is also a key factor; much work will need to be undertaken with independent provision to ensure that they are able to meet the requirements of an Ofsted registration and regulation process.

To overcome this challenge we will:-

- Complete an accurate assessment of the provision within the local area.
- Publish a needs assessment and share widely with key stakeholders to bring about market interest.
- Identify sites and existing assets to plan for growth and new provision
- Maintain and utilise relationships with cross border Officers, Multi Academy Trusts, Regional Schools Commissioner office, Department for Education and Education Funding Agency.

Maintaining Inclusive Practice

In a diverse provider landscape the local area must exercise a range of roles and remain committed to the inclusion of children and young people. The Local Authorities ability to direct schools to accept pupils has altered in a new more autonomous system of academy provision. Whilst the local Authority will of course maximise its influence, it has to be recognised that whilst the statutory duty remains with the local authority the systems levers to ensure compliance are complex and involves timely interventions from the Department for Education for Academy Schools when required.

The ability of providers to include and meet the needs of pupils judged to be at the stage of “education support” also needs to be maximised. The current rates of Statements / Education, Health and Care plans are disproportionately high compared to national, regional and statistical neighbours. This equates to 4.4% of the pupil population compared to 2.9% nationally.

To overcome this challenge we will:-

- Use the findings of the Special Educational Need Quality Audits completed in 2016 -2017 to drive forward key change with senior leaders and SENCO's
- Continue to maximise the SEND network to include Headteachers/ Governors
- Follow up on parental and professional concerns in relation to concerns raised about individual schools, using where appropriate local data.

- Devise a protocol for with Regional Schools Commissioner to inform schools of the actions that will be taken, when and by whom.

Section Four

Priority areas for action

Through the process of self evaluation, the local area has identified key strategic priorities. There is much to do and the planned actions have been selected to reflect the ambition of the area and to ensure there is aspiration in what can be achieved. The local area is committed to deliver these with rigour and a relentless pace to bring about sustained outcomes in a timely manner.

The strategic priorities will be supported by an action plan, created in partnership with all stakeholders within the local area. The aim being to focus on working in partnership with agreed accountability and governance.

Priority 1: Integrated Agency Working

Agencies will work together effectively to improve outcomes for children and young people with special educational needs and disabilities.

- Ensure that Special Educational Needs and Disability is considered in strategic planning of the partners who make up the local area
- Strengthen the established joint working between local authorities and CCGs in the development of an Education, Health and Care plan to support the provision of effective services for children and young people with Special Educational Needs.
- Embedding and strengthening pathways in order to bring about effective working practices
- Define clearer roles and responsibilities for education, health and social care and how partners will hold each other to account.

Priority 2: The Local Offer

Partners and service providers will meet the needs of children and young people with special educational needs and disabilities as part of the Local Offer

- Work with partners to establish a process of monitoring special educational needs and disability provision at a strategic level, including an assessment of quality based on the views of children, young people and their families.
- Work with partners to ensure that the child's parent or the young person are aware of the local offer and thereby the resources available to meet SEN within mainstream provision and other support set out in the Local Offer
- Ensure that the Local Offer reflects the services that are required as a result of strategic assessments of local needs and reviews of local education, care provision and of health provision. These assessments and reviews should be linked to the Local Offer to help identify gaps in local provision.
- Align the improvement work in Adult and Children's social care to strengthen the role that social care plays in improving outcomes for children and young people with SEND

- Ensure that there is a routine mechanism in place for children, young people and their parents / carers to co-produce the development and review of their Local Offer

Priority 3: Joint Commissioning

Joint commissioning arrangements will contribute to the right services being in place for children and young people with special educational needs and disabilities within Torbay.

- Strengthen the SEND Operational Leads remit to ensure that commissioning is focused on achieving agreed outcomes.
- Define expectations of joint commissioning arrangements to ensure a shared understanding at all levels
- Review current provision taking into account the experiences of children, young people and their families, and ensure that the information contributes to future arrangements and the effectiveness of local joint working.
- To strengthen the intelligence gathered for children and young people with SEND and use this information in planning future commissioning priorities.

Priority 4: Co-Production

Clear co-production pathways will enable children, young people and parents to make a significant contribution to identifying and planning the local offer available to children and young people with special educational needs and disabilities.

- Ensure engagement and co-production with children, young people, parents and carers.
- Increase personalisation, making sure children and young people are fully involved in planning for their own future and ensuring they get the support that is right for them.
- Facilitate active involvement of young people and their families in the review, development and reshaping of services.
- Continue to develop the implementation of personal budgets where this will support greater independence and choice.
- Build on existing relationships with the Parent Participation Forum to reach a wider group of parents
- Work with parents, families and young people as well as local SEND partners and providers to seek continuous improvement of services through regular consultation, engagement and feedback

Priority 5: Preparing for Adulthood

Young people moving into adulthood will be offered a variety of opportunities to help them realise their potential.

- Implement the pathway for a managed transition to Adult Services, enabling young with special educational needs or a disability to access the support that meets their needs
- Keep education and care provision under review including the duty to consult young people directly, and to consult schools, colleges and other post-16 providers

- Work in partnership with special schools, the local FE college and training advisors to share expertise and support effective progression towards adulthood
- Work with a wide range of providers to further develop provision, pathways into adulthood, supported internships and employability skills across the 16-19/25 phase.

Conclusion

Torbay is ambitious to create a well planned continuum of provision from birth to age 25 that meets the needs of children and young people with SEND and their families.

Torbay Council and all stakeholders in the local area are committed to discharging our statutory responsibilities to the highest standard. We will drive forward the SEND strategy with rigour and monitor our progress through clear accountability and governance arrangements.

Appendices

Appendix 1: Action Plan

	What?	Who?	How?	When?	Success measures	Current Status	Outcome – (report for Q1, Q2, Q3, Q4)
	1. Agencies will work together effectively to improve outcomes for children and young people with special educational needs and disabilities.						
	2. Partners and service providers will meet the needs of children and young people with special educational needs and disabilities as part of the Local Offer						
Page 53	Joint commissioning arrangements will contribute to the right services being in place for children and young people with special educational needs and disabilities within Torbay.						
	4. Clear co-production pathways will enable children, young people and parents to make a significant contribution to identifying and planning the local offer available to children and young people with special educational needs and disabilities.						
	5. Young people moving into adulthood will be offered a variety of opportunities to help them realise their potential.						

Appendix 2: Relevant legislation

It may be helpful to consider the following related legislation and guidance:

- SEND Code of Practice 2014 (0 to 25 years)/Children and Families Act (2014)
www.gov.uk/government/publications/send-code-of-practice-0-to-25
- Special Educational Needs and Disability Regulations (2014) www.ipsea.org.uk and www.legislation.gov.uk
- Equality Act (2010) www.legislation.gov.uk and www.disabilityrights.org
- Equality Act 2010: Advice for schools: Non-statutory advice from the Department for Education, produced to help schools understand how the Equality Act affects them and how to fulfil their duties under the Act www.gov.uk and www.sec-ed.co.uk.best-practice
- Working Together to Safeguard Children (2013): Statutory guidance from the Department for Education which sets out what is expected of organisations and individuals to safeguard and promote the welfare of children.
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- The Children Act 1989 Guidance and Regulations Volume 2 (Care Planning Placement and Case Review) and Volume 3 (Planning Transition to Adulthood for Care Leavers): Guidance setting out the responsibilities of local authorities towards looked after children and care leavers www.gov.uk/government/publications/children-act-1989-care-planning-placement-and-case-review and www.gov.uk/government/publications/children-act-1989-transition-to-adulthood-for-care-leavers
- Reasonable adjustments for disabled pupils (2012): Technical guidance from the Equality and Human Rights Commission
www.equalityhumanrights.com/sites/default/files/reasonable_adjustments_for_disabled_pupils_1.pdf
- Supporting pupils at school with medical conditions (2014): Statutory guidance from the Department for Education www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3
- The Mental Capacity Act Code of Practice: Protecting the vulnerable (2005)
www.gov.uk/government/publications/mental-capacity-act-code-of-practice
- The Statutory Framework for the Early Years Foundation Stage www.gov.uk/early-years-foundation-stage and www.gov.uk/government/publications/early-years-foundation-stage-framework--2

Appendix 3: Definitions of disability and special educational needs

Disability

The Equality Act 2010 (Section 6) defines a disability as when a person has a physical or mental impairment:

- which is substantial and long-term (for over a year)
- which has an adverse effect on their ability to carry out normal day-to-day activities.

This broad definition covers physical disabilities, sensory impairments, such as those affecting sight or hearing, learning disabilities and some specified medical conditions.

Special Educational Needs (SEN)

THE SEND Code of Practice: 0-25 years January 2015 states that :-

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- a) has a significantly greater difficulty in learning than the majority of others of the same age, or
- b) has a disability which prevents or hinders him/her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

The broad areas of need described are:

- Communication and interaction
- Cognition and learning
- Social, emotional and mental health
- Sensory and/or physical.

A child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above, or would do so, if special educational provision was not made for them (*Clause 20 Children and Families Act (2014)*)